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DEPARTMENT OF COMMERCE

International Trade Administration

[Application No. 84-23A12]

Export Trade Certificate of Review

ACTION: Notice of Application to Amend the Export Trade Certificate of Review Issued to Northwest Fruit Exporters, Application no. 84-23A12.

SUMMARY: The Office of Competition and Economic Analysis (“OCEA”) of the International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review (“Certificate”). This notice summarizes the proposed amendment and requests comments relevant to whether the amended Certificate should be issued.

FOR FURTHER INFORMATION CONTACT: Joseph Flynn, Director, Office of Competition and Economic Analysis, International Trade Administration, (202) 482-5131 (this is not a toll-free number) or email at etca@trade.gov.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. An Export Trade Certificate of Review protects the holder and the members identified in the Certificate from State and Federal government antitrust actions and from private treble damage antitrust actions for the export conduct specified in the Certificate and carried out in

compliance with its terms and conditions. Section 302(b)(1) of the Export Trading Company Act of 1982 and 15 CFR 325.6(a) require the Secretary to publish a notice in the Federal Register identifying the applicant and summarizing its proposed export conduct.

Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked as privileged or confidential business information will be deemed to be nonconfidential.

An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 7025, Washington, DC 20230.

Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as “Export Trade Certificate of Review, application number 84-23A12.”

The Northwest Fruit Exporters' ("NWF") original Certificate was issued on June 11, 1984 (49 FR 24581, June 14, 1984), and last amended on August 12, 2011 (76 FR 55010). A summary of the current application for an amendment follows.

Summary of the Application

Applicant: Northwest Fruit Exporters, 105 South 18th Street, Suite 227, Yakima, WA 98901.

Contact: James R. Archer, Manager, (509) 576-8004

Application No.: 84-23A12.

Date Deemed Submitted: October 3, 2012.

Proposed Amendment: NWF seeks to amend its Certificate to:

1. Add the following companies as new Members of the Certificate within the meaning of section 325.2(l) of the Regulations (15 CFR 325.2(l)): Crown Packing, LLC (Wenatchee, WA); HoneyBear Growers, Inc. (Brewster, WA); and Jenks Bros Cold Storage & Packing (Royal City, WA); and
2. Remove the following companies as Members of NWF's Certificate: J & D Packing, LLC (Outlook, WA); Oregon Cherry Growers (Salem, OR); and Prentice Packing & Storage (Yakima, WA); and
3. Change the name of the following member: Conrad & Adams Fruit LLC of Grandview, WA is now Conrad & Adams Fruit L.L.C.

Dated: October 5, 2012.

Praveen Dixit,

Deputy Assistant Secretary for Industry Analysis.

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